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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ANTONIO B. POOLE,

11 Movant,

No. CIV S-10-2596 GGH P

12 vs.

13 UNITED STATES OF AMERICA,

14 Respondent.

ORDER

15 _____/
16 Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set
17 aside, or correct his sentence pursuant to 28 U.S.C. § 2255. The application attacks a conviction
18 issued by the Western District of Tennessee and movant is incarcerated in the Eastern District of
19 California. This case was originally filed in the Northern District of California and transferred to
20 this Court.¹

21 While both this Court and the United States District Court in the Western District
22 of Tennessee, the district where petitioner was convicted have jurisdiction, see Braden v. 30th
23 Judicial Circuit Court, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the
24 resolution of movant's application are more readily available in the Western District of

25 _____
26 ¹ The transfer order indicated that petitioner was sentenced by the Western District of Tennessee in United States v. Poole, 2 Fed. Appx. 433 (6th Cir. 2001).

1 Tennessee. Id. at 499 n.15; 28 U.S.C. § 2241(d). Moreover, a challenge to the conviction or
2 sentence to a federal judgment should be heard by the court presiding over same.

3 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this
4 matter is transferred to the United States District Court for the Western District of Tennessee.

5 DATED: October 15, 2010

6 /s/ Gregory G. Hollows

7 UNITED STATES MAGISTRATE JUDGE

8 GGH: AB
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